

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
MARSHALL DIVISION**

EMPIRE TECHNOLOGY
DEVELOPMENT LLC,

Plaintiff,

V.

CIVIL ACTION NO. 2:23-cv-00427-JRG-RSP

SAMSUNG ELECTRONICS CO. LTD.
and SAMSUNG ELECTRONICS
AMERICA, INC.,

Defendants.

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ORDER

Samsung Electronics Co. Ltd. and Samsung Electronics America, Inc. (collectively, “Samsung”) previously filed a Motion for Summary Judgment of No Infringement of U.S. Patent No. 8,798,120 (the “Motion for Summary Judgment”). (Dkt. No. 99.) Magistrate Judge Payne entered a Report and Recommendation recommending denial of Samsung’s Motion for Summary Judgment. (Dkt. No. 224.) Because no objections have been filed in the allotted time period and because of the reasons set forth in the Report and Recommendation, the Recommendation is **ADOPTED**. It is therefore **ORDERED** that the Motion for Summary Judgment (Dkt. No. 99) is **DENIED**.

Additionally, Samsung previously filed a Motion Partial for Summary Judgment of No Pre-Suit or Post-Suit Willful Infringement. (Dkt. No. 100.) Magistrate Judge Payne entered a Report and Recommendation recommending grant-in-part of Samsung's Motion for Partial Summary Judgment, specifically as to pre-suit willful infringement. (Dkt. No. 225.) Because no objections have been filed in the allotted time period and because of the reasons set forth in the Report and Recommendation, the Recommendation is **ADOPTED**. It is therefore **ORDERED** that the Motion for Summary Judgment (Dkt. No. 100) is **GRANTED-IN-PART**.

So Ordered this

Jun 19, 2025

A handwritten signature in black ink, reading "Rodney Gilstrap", is written over a horizontal line.

RODNEY GILSTRAP
UNITED STATES DISTRICT JUDGE